

**RECESSED MEETING  
FEBRUARY 20, 2004**

The Ashland Board of Commissioners met in Recessed Session in the Commissioners' Chambers, City Building, Ashland, Kentucky, on Friday, February 20, 2004, at the hour of 10:30 AM. Those present were Commissioners: Larry Branham, Larry Brown, Don Maxwell and Mayor Stephen E. Gilmore, who presided. Absent: Commissioner Gunderson. Also present were: William H. Fisher, Jr., City Manager; Richard W. Martin, Corporation Counsel; Deborah Musser, City Clerk; Thomas E. Kelley, Chief of Police; David Sloan, Deputy Fire Chief; James P. Shaw, Director of Planning and Community Development; Gail Melvin, Economic Development Director; Michelle Veach, Assistant Finance Director; and Reporters.

**AGENDA**

City Manager Fisher presented the agenda of February 20, 2004. Motion was made by Branham, seconded by Maxwell, to receive and file the agenda. Upon roll call, voting aye were Commissioners Branham, Brown, Maxwell and Mayor Gilmore. Nay - none. Motion passed.

**OLD BUSINESS**

**SECOND READING & FINAL ADOPTION**

**ORDINANCE NO. 31, 2004**

AN ORDINANCE OF THE CITY OF ASHLAND,  
KENTUCKY, ANNEXING THE MELODY MOUNTAIN  
PROJECT AREA PURSUANT TO THE PROVISIONS OF KRS  
81A.412 AT THE PRIOR WRITTEN REQUEST OF THE  
OWNERS OF THE LAND IN QUESTION.

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WHEREAS, the City of Ashland, Kentucky, has been requested by TLG Development Co., Inc., RLG Ashland LLC and GCG Ashland LLC to annex the area known as Melody Mountain (a copy of the prior written consent from the owners of record of the land to be annexed is attached hereto and marked Exhibit "A"), and

WHEREAS, the area to be annexed meets the requirements set out in KRS 81A.410 and all other requirements of the Kentucky Revised Statutes;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. The Board of Commissioners of the City of Ashland hereby finds that the area proposed for annexation is: (a) adjacent or contiguous to the city's boundaries at the time this annexation is proceeding; and (b) by reason of population density, commercial use of land that is urban in character and suitable for development for urban purposes without unreasonable delay.

SECTION 2. The Board of Commissioners of the City of Ashland hereby annexes that certain territory within Boyd County adjoining the present boundary line of the City, being the Melody Mountain project area. The description and map of the territory are attached hereto and made a part hereof by reference as if set out in full. The specific description appears on Exhibit "B". The map is marked Exhibit "C" for identification.

SECTION 3. Upon the enactment of the Ordinance, the territory shall become a part of the City for all purposes.

SECTION 4. All ordinances of the City of Ashland and any parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 5. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

/s/STEPHEN E. GILMORE  
MAYOR

**REGULAR MEETING FEBRUARY 20, 2004**  
**ORDINANCE NO. 31, 2004 CONTINUED**

ATTEST:

/s/DEBORAH MUSSER  
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS:	February 19, 2004
READOPTED BY THE BOARD OF COMMISSIONERS:	February 20, 2004
PUBLISHED:	

**MOTION**

Motion was made by Maxwell, seconded by Branham, to adopt Ordinance No. 31, 2004, at this its second reading. Upon roll call, voting aye were Commissioners Branham, Brown, Maxwell and Mayor Gilmore. Nay – none. Motion passed.

**ADJOURNMENT**

Mayor Gilmore declared the meeting adjourned at 10:34 AM.

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STEPHEN E. GILMORE  
MAYOR

ATTEST:

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DEBORAH MUSSER  
CITY CLERK